

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

OPTIMORPHIX, INC.,

Plaintiff,

v.

F5, INC.

Defendant.

Civil Action No. 5:24-cv-26-RWS-JBB

JURY TRIAL DEMANDED

UNOPPOSED MOTION TO RESCHEDULE THE JUNE 6, 2024
SCHEDULING CONFERENCE

COMES NOW, Plaintiff OptiMorphix, Inc., (“Plaintiff”), and files this Unopposed Motion to Reschedule the June 6, 2024 Scheduling Conferences and shows the Court as follows:

On April 29, 2024, the Court granted the Parties’ Joint Motion to Continue Scheduling Conference. Dkt. No. 19. In that Order, the Court set a Telephonic Scheduling Conference for June 6, 2024 at 10:00 a.m. *Id.*

Plaintiff’s lead counsel has a scheduling conflict at that time—the undersigned attorney for Plaintiff is arguing an appeal in the *Cloudflare, Inc. v. Sable Networks, Inc.*, Case No. 2023-1612 (Fed. Cir.) case during the Federal Circuit’s 10:00 a.m. court session on June 6, 2024.

Accordingly, Plaintiff’s lead counsel has conflicting scheduling commitments and respectfully requests that the Court reschedule the Scheduling Conference currently set at 10:00 a.m. on June 6, 2024 in the above-captioned case.¹

Should the Court’s schedule permit, the Parties will be prepared to proceed with the Telephonic Scheduling Conference on the same day (June 6, 2024) at any time after 12:00 p.m.

¹ The other cases consolidated with the above-captioned case are all either stayed pending settlement or there is a motion to stay pending settlement pending before the Court.

Should the Court's schedule not permit an afternoon Telephonic Scheduling Conference on June 6, 2024, Plaintiff respectfully requests the Court reschedule the Telephonic Scheduling Conference for the next available date convenient to the Court after June 6, 2024. If the date of the Telephonic Scheduling Conference is changed, Plaintiff respectfully requests that it not be scheduled on May 24, 28, or 29, and Defendant F5, Inc. ("F5") respectfully requests that it not be scheduled on June 21, 2024. Rescheduling the Scheduling Conference will permit participation of all counsel who otherwise intend to participate.

Plaintiff has met and conferred with counsel for Defendant F5, and Plaintiff's present Motion is unopposed.

Dated: May 10, 2024

Respectfully submitted,

/s/ Daniel P. Hipskind

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CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for Plaintiff has met and conferred with counsel for F5, Inc., and this motion is unopposed.

/s/ Daniel P. Hipskind